

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

LINDA NOURI,

Plaintiff,

vs.

STATE OF OHIO, *et al.*,

OHIO ATTORNEY GENERAL
DAVID ANTHONY YOST,

Defendants.

:
:
:
:
:
:
:
:
:
:
:

Case No. 1:22-cv-317

Judge Jeffery P. Hopkins

ORDER ADOPTING REPORT AND RECOMMENDATION

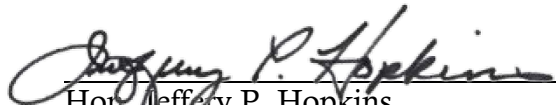
This matter is before the Court on the Report and Recommendation issued by Magistrate Judge Stephanie K. Bowman on November 7, 2022. Doc. 39. The Magistrate Judge recommends that this Court grant the Defendants' motions to dismiss (Docs. 21, 22) and deny the Plaintiff's motion for leave to file a second amended complaint (Doc. 32). No objections have been filed and the time for filing such objections under Fed. R. Civ. P. 72(b) has expired. The Court notes that the Plaintiff was granted an extension of time to file objections (up to and including January 12, 2024), but she has failed to do so.

Having carefully reviewed the comprehensive findings and conclusions of the Magistrate Judge and finding no clear error, the Court hereby **ADOPTS** the Report and Recommendation in its entirety. *See* Fed. R. Civ. P. 72 (advisory committee notes) ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the fact of the record in order to accept the recommendation"); *see e.g., Roane v. Warden of Corr. Reception Ctr.*, No. 2:22-cv-2768, 2022 WL 16535903, at *1 (S.D. Ohio Oct. 28, 2022).

Accordingly, the Court hereby **GRANTS** the Defendants' motions to dismiss (Docs. 21, 22), and **DENIES** the Plaintiff's motion for leave to file a second amended complaint (Doc. 32). The Court declines to exercise supplemental jurisdiction over any pendant state law claims. *See* 28 U.S.C. § 1367(c)(3); *see Musson Theatrical v. Fed. Express Corp.*, 89 F.3d 1244, 1254–55 (6th Cir. 1996) (“When all federal claims are dismissed before trial, the balance of considerations usually will point to dismissing the state law claims...”). Plaintiff's objection (Doc. 4) to the Magistrate Judge's *sua sponte* transfer of this Case from the Eastern Division at Columbus to the Western Division at Cincinnati is moot and therefore **OVERRULED**. This case shall be **TERMINATED** from the docket of this Court.

IT IS SO ORDERED.

Dated: January 29, 2024


Hon. Jeffrey P. Hopkins
United States District Judge